

MICHIGAN CIVIL RIGHTS COMMISSION
Monday, December 9, 2013 - 2:00 P.M.
Michigan Department of Civil Rights Executive Office
8th Floor Commission Room
Capital Tower Building – 110 W. Michigan Ave.
Lansing, Michigan 48933

MINUTES

Present: Commission Chair, Mike Zelle
Commission Vice-Chair, Lisa Peeples-Hurst
Commission Secretary, Jared Rodriguez
Commissioner Agustin Arbulu
Commissioner Rasha Demashkieh
Commissioner Linda Gobler
Commissioner Arthur Horwitz
Commissioner Deloris Hunt

I. CALL TO ORDER/WELCOME

Commissioner Mike Zelle called the meeting to order at 2:00 p.m., brought welcoming remarks, and each Commissioner introduced themselves.

II. APPROVAL OF MEETING AGENDA

On Motion duly made (Commissioner Peeples-Hurst) and supported (Commissioner Demashkieh), the meeting agenda was approved with an amendment from Chair Zelle (Burton Gordin Report update during the Chair Report). *Motion carried unanimously.*

III. APPROVAL OF MEETING MINUTES FROM OCTOBER 7, 2013

On Motion duly made (Commissioner Gobler) and supported (Commissioner Demashkieh), the meeting minutes from October 7, 2013 were approved. *Motion carried unanimously.*

IV. DIVISION REPORTS

Director's Report, Matthew Wesaw

In addition to Director Wesaw's submitted report, highlights included: success of the 2013 MIAAHC Response to Hate Conference; overview of various meetings (DODHH Advisory Board, MAPAAC); meet and greet meetings (MDCR Colleagues, HLC Chair and Executive Director, partner agency leaders). Director Wesaw indicated

that the major focus of the Department will include the Bullying Initiative, the statewide ALPACT effort, and MIAAHC.

Enforcement Division Report, Lori Vinson

Ms. Vinson reported that in closing the 2013 fiscal year, 2123 formal complaints were processed, 2247 complaints were closed, resulting in monetary awards of \$1,545,180; our federal contracts with EEOC and HUD were satisfied; thus far for the 2014 fiscal year, 249 complaints have been investigated since October 1, 2013 resulting in monetary awards of \$96,987.

Several colleagues have retired from the Enforcement Division after many years of service: Lena Scott, Lillie Johnson, Dyann Gatlin, Elaine Tell and Chris Priebe. Two additional retirements are forthcoming: Armando Garcia, after 39 years of service, December 2013; Wanda Saxson, after 45 years of service, January 2014.

Several new colleagues have been hired into the Enforcement Division: Alicia Powers and Gloria Trevino, Administrative Support, Detroit Office; Elizabeth Taylor, LaShea Sharp, Matthew Galvan, Investigators, Detroit Office; Sherri Bailey, Investigator, Lansing Office.

Hearings and Policy Report, Dan Levy

In addition to Ms. Elliott's Legal Affairs submitted report, Mr. Levy reported on the DODHH Administrative Rules process regarding certification of interpreters; and a news article from Petoskey News regarding bullying legislation.

Public Affairs/Budget Report, Leslee Fritz

With regards to Public Affairs, Ms. Fritz reported on MDCR's 50th Anniversary Celebration Tour, 35 of the 50 cities are complete; approximately 2,500 participants have attended our events, more events to be planned for January 2014 - dates and locations will be communicated to Commissioners; results of the Employee Engagement Survey will be sent to state department directors this week for review and determination of next steps; Autism Partnership tour.

With regards to the budget, Ms. Fritz reported that MDCR applied for 14 HUD grants, and were awarded for 5 grants totaling \$150,000 – funding for Enforcement activities; in closing out the 2013 fiscal year, MDCR finished with a positive balance; fiscal year 2015 requests will be submitted by state department CFO's by the close of this calendar year.

V. COMMISSION MATTERS

Chairman's Report, Commissioner Mike Zelle

- Nominating Committee for 2014 Election of Officers

The following slate was proposed for the 2014 Election of Officers at the January 2014 meeting:

Chair: Commissioner Arthur Horwitz
Vice-Chair: Commissioner Rasha Demashkieh
Secretary: Commissioner Jared Rodriguez

On Motion duly made and supported, the slate for the 2014 Election of Officers was approved.
Motion carried unanimously.

- **Burton Gordin Resolution**

Dan Levy reported that Commissioner Arbulu is leading a subcommittee in an effort to re-open the unsolved murder investigation of former MDCR director Burton Gordin. Commissioner Arbulu read the following resolution into the record:

As we celebrate the 50th anniversary of the Michigan Civil Rights Commission, we pause to honor and recognize one of the unheralded giants of the struggle to secure equality for all Michiganders, and to reflect upon one of the great unsolved mysteries in the story of that struggle.

While serving as the first Director of the Michigan Department of Civil Rights, Burton I. Gordin was gunned down as he left our Detroit office on March 20, 1970. His murder remains unsolved, the motive unknown, and the historical implications unanswered.

Upon hearing of the murder, a "deeply shocked" Governor William Milliken declared, "The tragic death of Burton Gordin stills a major voice in the civil rights struggle. He served a great cause with great dedication. His death is a profound loss to that cause and to the public who he so well served."

Burton Gordin was a native of Philadelphia who had served as a captain in the US Army and a reporter for the Philadelphia Record before joining the Philadelphia Fair Employment Practices Commission as a field representative and research associate in 1949. Three years later he joined the newly created and first-of-its-kind Philadelphia Civil Rights Commission where he would rise to become Director.

In 1964, after being created as the first (and still only) such body established within a state constitution, the Michigan Civil Rights Commission conducted a nation-wide search and selected Burton Gordin as our first Director. Under Director Gordin's leadership, the Commission quickly grew in size and in stature, becoming a model other states would follow.

Following Burton Gordin's death, the Michigan Chronicle noted, "Angry militants in the battle for civil rights progress declared him too conciliatory. Antagonists in the battle found him too contentious." The Chronicle concluded, "That speaks more eloquently than any rhetoric that comes to mind for his unswerving determination to conduct himself with both compassion and dignity in a most sensitive spot in these times of strife, turmoil and terror."

Burton Gordin's lifeless body was discovered lying face up in the garage where he parked while at work, just feet away from his running car, his wallet intact, nothing missing, and no apparent signs of a struggle. He had been shot twice at close range, once in the back upper left shoulder (possibly while seated in the car) and once in the chest (likely while already on the ground.) No eyewitnesses were

ever identified, and no suspects were ever named.

Theories and suspects were numerous however, and reflected the tumultuous nature of the times. Public reports of the investigation, in which the Detroit Police Department was assisted by the Michigan State Police and the Attorney General's organized crime unit, reflected a wide variety of possible motives. Possibilities included a robbery gone awry (the motive favored by most investigators), but also the possible involvement of angry whites, militant blacks, disgruntled staff, the Weather Underground and Students for Democratic Society, and law enforcement from outside the Detroit area. None of these motives were ever proven or (publicly, at least) completely refuted.

The Michigan Chapter of the NAACP at the time called the killing a "political assassination of a civil rights leader until proven otherwise." More than 40 years later, there remains no firm basis for concluding there was any political motivation for the killing, but neither has it been proven there was not.

The murder of the first Director of the Michigan Department of Civil Rights may yet prove to be a robbery gone wrong - one of those truly tragic coincidences that are so hard for us to accept – or it might have been a deliberate act and thus an event of historic significance.

We may never know who killed Burton Gordin and why. While we may have to accept that the important historical questions of his death will forever be unanswered, we must not allow ourselves to forget the life of Director Gordin. He gave tirelessly to the struggle to ensure equal treatment for all, and he played a vital role in helping Michigan and the nation first to correct course and then to weather the storms of the civil rights era. To paraphrase the words of abolitionist Theodore Parker, Burton Gordin helped to bend the long arc of the moral universe towards justice.

Today we pay tribute to Burton I. Gordin's life's work. His accomplishments were too important, his impact too profound, and his legacy too significant to be forgotten.

We stand on his shoulders.

On Motion made (Commissioner Zelle) and duly supported (Commissioner Peoples-Hurst), the Commission adopted the Resolution on Burton Gordin. Motion carried unanimously.

Director Wesaw indicated that he has convened initial meetings with the Michigan State Police and the Detroit Police Department; plans to convene a meeting with the Subcommittee and the Cold Case Team to determine next steps.

- Proposed 2014 Meeting Schedule

The following dates were proposed for the 2014 Commission Meeting Schedule:
January 27, March 24, May 19, July 28, September 22, November 24.

The September date will be confirmed at a later time, as the Commission may have an opportunity to convene jointly with the DODHH in the Upper Peninsula in October 2014.

On Motion duly made (Commissioner Arbulu) and supported (Commissioner Demashkieh), the 2014 Commission Meeting Schedule (with the exception of September) was approved. Motion carried unanimously.

Awards Presentation, Director Matthew Wesaw

Director Wesaw presented an award honoring Chair Mike Zelley for seven years of service; and an award honoring Vice Chair Lisa Peebles-Hurst for five-and-a-half years of service.

Attorney General Report, Ron D. Robinson

Mr. Robinson cited the case Barash v. SMART, indicating that the case was remanded for appeal review in Circuit Court; the Thomas Sakewich case was also cited, indicating that the case has been elevated to the Supreme Court – the petition was denied, and the Department will not pursue the case any further.

VI. DEPARTMENT INITIATIVES UPDATES

Bullying Initiative, John Golaszewski

In John Golaszewski's absence, the Bullying Initiative report was waived. However, written reports were submitted to the Commission.

Global Michigan Initiative, Mary McLellan

In Mary McLellan's absence, the Global Michigan Initiative report was waived. However, written reports were submitted to the Commission.

VII. OLD BUSINESS

There was no old business.

VIII. NEW BUSINESS

- ADA Presentation by Sharon Ellis, Statewide ADA Compliance Director

IX. PUBLIC COMMENT

There was no public comment.

X. ADJOURNMENT

The meeting of the Michigan Civil Rights Commission adjourned at 3:48 p.m.